ESTTA Tracking number:

ESTTA608547 06/06/2014

Filing date:

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91213742
Party	Defendant Montage Festivals LLC
Correspondence Address	MATTHEW H SWYERS THE TRADEMARK COMPANY, PLLC 344 MAPLE AVENUE WEST, SUITE 151 VIENNA, VA 22180 UNITED STATES mswyers@TheTrademarkCompany.com
Submission	Request to Withdraw as Attorney
Filer's Name	Matthew H. Swyers
Filer's e-mail	mswyers@thetrademarkcompany.com
Signature	/Matthew H. Swyers/
Date	06/06/2014
Attachments	WITHDRAWAL OF COUNSEL.pdf(165065 bytes )

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE The Trademark Trial and Appeal Board

Serial No. 85/873,978,

For the mark: JUNKSTOCK

Junkstock, LLC,

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Opposer,

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vs. : Opposition No.: 91213742

.

Montage Festivals LLC,

:

Applicant. :

#### WITHDRAWAL OF COUNSEL

COMES NOW the Applicant, Montage Festivals, LLC (hereinafter "Applicant"), by counsel Matthew H. Swyers, Esquire, of The Trademark Company, PLLC and files the instant motion to withdraw as counsel of record in the above-captioned matter pursuant to TBMP § 513.01. In support of the instant motion counsel for the Applicant certifies as follows:

### **Basis of Request**

Counsel is no longer receiving directives from Applicant as to litigation decisions, strategy, and the like required to continue its representation in this matter. Despite numerous attempts to communicate with the Applicant, counsel certifies that Applicant has denied counsel for the Applicant the continued authority to proceed in his representative capacity in this matter. As such, counsel for the Applicant ability to represent Applicant has been compromised to the extent that he can no longer effectively represent Applicant.

### **Certifications Required by TBMP § 513.01**

Counsel for the Applicant hereby certifies:

1. All papers and other materials that relate to the case have been delivered to the Applicant to allow them to continue with this matter if they so choose;

- 2. There are no unearned fees to be refunded to the Applicant; and
- 3. Proof of service of the instant motion is attached below.

### Summary

WHEREFORE for good cause shown counsel for the Applicant respectfully moves the Board for an order withdrawing counsel as counsel of record for the Applicant and, in his place, substituting the following contact information with the Board for this matter:

Kristin Cooper Montage Festivals LLC P.O. Box 33 Arcadia, OK 73007

Respectfully submitted this 6th day of June, 2014.

THE TRADEMARK COMPANY, PLLC

/Matthew H. Swyers/
Matthew H. Swyers, Esq.
344 Maple Avenue West, Suite 151
Vienna, VA 22180
Tel. (800) 906-8626 x704
Facsimile (270) 477-4574
mswyers@TheTrademarkCompany.com

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE The Trademark Trial and Appeal Board

Serial No. 85/873,978,

For the mark: JUNKSTOCK

Junkstock, LLC,

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Opposer,

:

vs. : Opposition No.: 91213742

Montage Festivals LLC,

:

Applicant.

## **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I caused a copy of the foregoing this  $6^{th}$  day of June, 2014 to be served, via first class mail, postage prepaid, upon:

PATRICK E MCNAMARA McNamara Law Firm 1625 Farnam Street Suite 830 OMAHA, NE 68102

and

Kristin Cooper Montage Festivals LLC P.O. Box 33 Arcadia, OK 73007

> /Matthew H. Swyers/ Matthew H. Swyers